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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,240	09/17/2003	Felix C. Fernandes	TI-35515	3710
23494	7590	07/11/2007	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED			CZEKAJ, DAVID J	
P O BOX 655474, M/S 3999			ART UNIT	
DALLAS, TX 75265			PAPER NUMBER	
			2621	
			NOTIFICATION DATE	
			DELIVERY MODE	
			07/11/2007	
			ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@ti.com  
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<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/664,240	FERNANDES, FELIX C.	
	Examiner	Art Unit	
	Dave Czekaj	2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

On page 3, applicant argues that Fimoff fails to disclose differing downsampling of frame and field blocks. While the applicant's points are understood, the examiner respectfully disagrees. Fimoff discloses in column 17, lines 40-50, for frame DCT blocks, downsampling with respect to both the vertical and horizontal dimension. While Fimoff does convert the frame coding to field coding for downsampling in the vertical direction only, the examiner notes that the claim language does not preclude the conversion. The frame DCT blocks are still downsampled with respect to the vertical and horizontal dimensions. Further Fimoff discloses in column 17, lines 40-50, for field DCT blocks, downsampling in both the vertical and horizontal directions, thus meeting the limitations as claimed. Therefore the rejection has been maintained.

On page 3, applicant argues that Fimoff fails to discuss the field averaging. While the applicant's points are understood, the examiner respectfully disagrees. The examiner relied upon Eifrig, not Fimoff, to disclose the field averaging, in which Eifrig discloses in column 12, lines 19-27. Hence, the combination, taken as a whole, teach the limitations as claimed. Therefore the rejection has been maintained.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fimoff (6665344) in view of Eifrig et al. (5991447), (hereinafter referred to as "Eifrig").

Regarding claim 1-2, Fimoff discloses an apparatus that relates to a downconverting decoder (Fimoff: column 1, lines 7-9). This apparatus comprises "receiving encoded motion-compensated video including motion vectors and DCT blocks" (Fimoff: figure 1), "for frame DCT blocks, downsampling in the frequency domain with respect to both the vertical dimension and horizontal dimension" (Fimoff: column 17, lines 40-50), "for field DCT blocks, downsampling with respect to the horizontal dimension" (Fimoff: column 17, lines 40-50). The examiner notes that Fimoff downsamples in both the horizontal and vertical directions for the field DCT blocks, however, the claim language does not preclude the vertical subsampling), "applying inverse motion estimation" (Fimoff: figures 10 and 15; column 10, lines 35-65, wherein the motion estimation performs the inverse motion estimation. The examiner notes that it is well known within the art to reuse motion vectors), and "repeating the steps for all blocks and encoding the results" (figures 1-3). However, this apparatus lacks averaging the top and bottom fields after downsampling as claimed. Eifrig teaches that it would be desirable to have an efficient technique for providing motion vector predictors for a macroblock (Eifrig: column 2, lines 5-12). To help alleviate this need, Eifrig discloses "averaging top and bottom field blocks" (Eifrig: column 12, lines 19-29). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take

the apparatus disclosed by Fimoff and add the averaging taught by Eifrig in order to obtain an apparatus that correctly performs downsampling by taking a better sample of field DCT blocks.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJC

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TC 2600